

§ 1980.66

§ 1980.66 Additional loans or advances.

Refer to paragraph XIII of Form FmHA or its successor agency under Public Law 103-354 449-35.

[58 FR 34308, June 24, 1993, as amended at 64 FR 7403, Feb. 12, 1999]

§ 1980.67 Bankruptcy.

(a) *Reference.* Form FmHA or its successor agency under Public Law 103-354 449-30, "Loan Note Guarantee Report of Loss," will be used for calculations of all estimated and final loss determinations. Payments will be made in accordance with applicable FmHA or its successor agency under Public Law 103-354 regulations.

(b) *Lender's option.* If a lender has made a loan guaranteed by FmHA or its successor agency under Public Law 103-354 under previous regulations, and the borrower has filed for protection under a reorganization bankruptcy, the lender has the option of requesting an estimated loss payment under the provisions of this part.

[54 FR 1549, Jan. 13, 1989, as amended at 61 FR 67633, Dec. 23, 1996; 64 FR 7403, Feb. 12, 1999]

§ 1980.68 Lender's request to terminate Loan Note Guarantee.

If the Loan Note Guarantee has not automatically terminated the lender may request FmHA or its successor agency under Public Law 103-354 to terminate the Loan Note Guarantee(s), for any reason, provided the lender holds all the guaranteed portions of the loan. (See paragraph 12 of Form FmHA or its successor agency under Public Law 103-354 449-34.) The lender will provide the County Supervisor with a written notice that the loan(s) is (or are) paid in full and/or termination of the Loan Note Guarantee(s) enclosing the original Form(s) FmHA or its successor agency under Public Law 103-354 449-34 for cancellation.

[53 FR 26413, July 12, 1988. Redesignated at 54 FR 1549, Jan. 13, 1989, as amended at 61 FR 67633, Dec. 23, 1996; 64 FR 7403, Feb. 12, 1999]

§§ 1980.69-1980.79 [Reserved]

§ 1980.80 Appeals.

Only the borrower, lender and/or holder can appeal an FmHA or its suc-

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cessor agency under Public Law 103-354 decision. The borrower must jointly execute in the written request by either party for review of an alleged adverse decision made by FmHA or its successor agency under Public Law 103-354 and both must participate in the appeal. In cases where FmHA or its successor agency under Public Law 103-354 has denied or reduced the amount of final loss payment to the lender, the adverse decision may be appealed by the lender only. A decision by a lender adverse to the borrower is not a decision by FmHA or its successor agency under Public Law 103-354, whether or not concurred in by FmHA or its successor agency under Public Law 103-354. Appeals will be handled in accordance with directions set out in subpart B of part 1900 of this chapter.

[53 FR 26413, July 12, 1988]

§ 1980.81 Access to records of lenders.

Upon request by FmHA or its successor agency under Public Law 103-354 the lender will permit representatives of FmHA or its successor agency under Public Law 103-354 (or other agencies of the U.S. Department of Agriculture authorized by that Department) to inspect and make copies of any of the records of the Lender pertaining to FmHA or its successor agency under Public Law 103-354 guaranteed loans. Such inspection and copying may be made during regular office hours of the lender, or any other time the lender and FmHA or its successor agency under Public Law 103-354 finds convenient.

§ 1980.82 State supplements to this regulation.

FmHA or its successor agency under Public Law 103-354 State Directors may supplement this regulation subject to National Office review to the extent necessary to properly implement the program in their States.

§ 1980.83 FmHA or its successor agency under Public Law 103-354 forms.

(a) *FmHA or its successor agency under Public Law 103-354 forms incorporated in this subpart.* Forms FmHA or its successor agency under Public Law 103-354 449-34, FmHA or its successor agency under Public Law 103-354 449-35 and